

EXHIBIT L

BHASKAR BASU

November 21, 2016

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1 specifics to be honest, but let's see, yeah, if we
2 got this photo, it would have been from the
3 internet, because we did not go to the Burning Man
4 Festival that's mentioned over here.

5 Q. Was this inspiration used to create
6 the art in exhibit two?

7 A. No, not entirely. So what we did
8 was, yeah, we got a lot of photographs and images
9 that we could find, but then we also had the real
10 feather, and typically when I'm creating an artwork,
11 what I do is I glance across all these images to try
12 and capture, you know, the image that forms in my
13 mind.

14 So, you know, as a child, whenever
15 I've drawn, and I did a lot of it when I was in
16 school and high school, etc., my approach to drawing
17 and my approach to art has always been from an angle
18 of interpretation or an angle of perception. So I
19 use these images mostly for -- less for technical
20 accuracy and more for kind of like an interpretation
21 value. What is the look and feel of that feather?
22 What's catching my attention?

23 And so once I've looked at all these
24 different feathers and then I've got the real
25 feather, which was the primary guidance for us,

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1 that's when we started drawing and creating these
2 different guidelines to kind of create the feather,
3 and we didn't get to something like this at our
4 first attempt because we attempted various different
5 types of, you know, or methods of drawing the
6 feather and applying color to it to see what made it
7 look more realistic, and there was a lot of trial
8 and error before we actually ended up with this
9 version.

10 Q. When you say this --

11 A. This version, the one that we
12 copyrighted.

13 Q. Okay. In exhibit two?

14 A. In exhibit two, yes.

15 Q. You mentioned the shoe in exhibit
16 four. That's page 1293. That was not your
17 company's shoe in 2007?

18 A. No, no, no, not at all. This wasn't
19 created by us.

20 Q. Do you sell shoes now?

21 A. We have sold some shoes in the past
22 and that is one of the various products that we
23 continue to explore.

24 Q. But that's recent. It's not --

25 A. It's a recent past.

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1 my inspiration.

2 Q. Those earrings you saw, those were
3 like cut pieces from actual peacock feathers?

4 A. I don't -- it appears -- it appeared
5 to be because -- but I didn't actually walk up to
6 them and touch them or feel them per se, but they
7 did appear to be realistic from a distance.

8 Q. All right. And you used all the
9 inspiration in exhibit four to inspire you to create
10 the art in exhibit two?

11 A. Yeah.

12 MR. GILMAN: Objection.

13 A. So, you know, it's hard for me to say
14 that I used all of them. So the way we design is
15 when we focus on a subject, we try to gather as much
16 information as in pictures that we can. We're
17 not -- from your earlier question, you were asking
18 me about the definition, etc. For us, we're
19 creating art. So the definition wasn't the
20 important thing. For us, it was kind of getting the
21 look and feel of what we want to draw.

22 So we get a lot of different pictures
23 and we kind of glance over them, and sometimes two
24 or three of them will catch more of our attention
25 than others. So it's -- you know, it's hard for me

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1 we have drawn over here have subtle differences, but
2 generally they look the same.

3 Q. Referring back to the picture in
4 exhibit two, was this -- was the original from which
5 the photo was taken a sample on a flat piece of
6 leather that was photographed?

7 A. That is correct, because, you know,
8 when we created this artwork, we first tried it on
9 paper several times trying different methods of
10 doing it. We even tried a couple of different
11 leather swatches trying the different techniques of
12 drawing or of representation that we tried, but none
13 of those representations or interpretations appeared
14 to me the way I wanted it to look. So we kept
15 trying until we came to this specific like what
16 you're seeing in exhibit two.

17 So once we did the drawing in this
18 specific fashion where our application of a certain
19 color and then the highlighting that color with that
20 black line, the way it made the feather pop out is
21 where we zoned in on and said, Yes, that's the look
22 we want to move forward with, and that became our
23 initial guideline to how we wanted to do the
24 feather. From then on, we started recreating that
25 for the different bags that you have or rather the

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1 different drawings that you have shown in exhibit
2 seven.

3 Q. So the actual sample that was
4 photographed for exhibit two wasn't actually in a
5 handbag?

6 A. It is the exact feather that we have
7 drawn, and like, you know, in terms of how we have
8 drawn it, it is pretty much the exact same feather
9 that we have drawn in each and every one of these
10 drawings, and if you look at it -- let's see, which
11 page was that?

12 So in exhibit seven, the very first
13 page with that image, which says TBG 00004, has that
14 feather over there, and then, let's see, I mean,
15 this is pretty much the look and feel that we have
16 tried to emulate and recreate everywhere we have
17 done our rest of our feather work.

18 Q. All right. But if you look at number
19 seven, there is the black and white drawing on the
20 left and the color one on the right; correct?

21 A. Correct.

22 Q. I count the number of branches.
23 They're not the same. There is one more on the
24 right in the color version which is registered?

25 A. You know, this is a hand drawing. So

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE BASU GROUP INC.,

Plaintiff,

-against-

Civil Action No.

SEVENTH AVENUE, INC.,

16-cv-00461-PGG

Defendant. ECF CASE

DEPOSITION OF: BHASKAR BASU
Monday, November 21, 2016
New York, New York
9:49 a.m. - 2:16 p.m.

Reported in stenotype by:
Rich Germosen,
CCR, CRCR, CRR, RMR, NYACR, NYRCR
NCRA/NJ/NY/CA Certified Realtime Reporter
NCRA Realtime Systems Administrator
Job No. 188789

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1 Deposition of BHASKAR BASU, taken in the
2 above-entitled matter before RICH GERMOSEN, Certified
3 Court Reporter, (License No. 30XI00184700), Certified
4 Realtime Court Reporter-NJ, (License No. 30XR00016800),
5 NCRA/NY/CA Certified Realtime Reporter, NCRA Registered
6 Merit Reporter, New York Association Certified Reporter,
7 NCRA Realtime Systems Administrator, taken at the
8 offices of LADAS & PARRY, LLP, 1040 Avenue of the
9 Americas, New York, New York 10018-3738, on Monday,
10 November 21, 2016, commencing at 9:49 a.m.

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